

Committee on Resources

resources.committee@mail.house.gov

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CONGRESSMAN RALPH REGULA

TESTIMONY FOR THE HOUSE COMMITTEE ON RESOURCES

MAY 6, 2004

Mr. Chairman and members of the Committee, thank you for inviting me to testify before you today on an issue that I feel strongly about. Maintaining and enhancing our national parks, forests and other Federal recreation areas is not easy or inexpensive. As demands exceed available funding, routine maintenance is too often deferred and improvements postponed, which in turn degrades the recreation experience for our constituents. I am hopeful that after many years of hearings, debates, and experiments on this subject that we can work together to find a solution to provide these lands with adequate funding and the necessary services to enhance visitors experiences.

In 1995, when I became Chairman of the House Subcommittee on Interior Appropriations, I decided to do something about the deteriorating conditions in our national parks, forests, and refuges. As part of this effort, I established a demonstration program to charge nominal fees and use the revenue for maintenance and improvements at the site where they were collected. Specifically, no less than 80 percent of the revenue collected would stay at the site and would go towards needs identified by visitors.

Since its inception in 1996, the Rec Fee Demo Program has generated over one billion dollars. These dollars have gone towards reducing the growing backlog of deferred maintenance, protecting natural resources, enhancing facilities, and improving visitor services and safety. For the price of less than a movie ticket, visitors are able to enjoy cleaner facilities, well-maintained trails and an overall better recreation experience. Because visitors have a financial stake in the land, they are much less likely to commit vandalism and property damage. In addition, I have heard of no instances in which this program has blocked public access or reduced visitation. In fact, visitation has increased as services have improved.

Based on these positive results, I worked with the land management agencies to draft legislation to move this program out of the experimental phase. The result is, H.R. 3283, the Federal Lands Recreation Enhancement Act. Included in the bill are several new initiatives based on recommendations from outside sources and from experiences learned from the demo program. Among these improvements are restricting fees to only sites where there is a federal capital investment, establishing different fee levels to reflect the level of that investment, allowing access to many or all sites with the same pass, and making agencies more accountable for how they spend money.

We are already beginning to see changes in the way fees are being administered and collected. Since the implementation of the Forest Service Blueprint in January they have dropped fees at over four hundred sites. All this is part of the new policy to make the fees more consistent nationwide, and to have fees at sites only where there is a capital investment, not just for access. Making the recreation fee more consistent between sites and creating a structured fee system based on the service performed and costs incurred by that site will go a long way towards creating a seamless fee and collection system. It has been established that visitors are willing to pay a fee as long as the fee stays at the site and will be invested in maintaining and upgrading facilities they use.

Some people have complained that the fees do not stay at the recreation site and instead go towards collecting fees and administering the recreation fee program. Others claim that up to fifty cents from every dollar is used for administering the program and collecting fees. This could not be further from the truth. The cost of collection for the agencies over FY00 through FY02 has remained roughly consistent at about 20 percent of fee revenue. This number will only decrease as the program continues to improve and coordination of programs is enhanced.

There is tremendous value for the American public in maintaining this fee authority for the Forest Service. Much of the controversy surrounding the Forest Service was due to the entrepreneurship its employees exhibited when the rec fee demo began. I commend this agency for really testing a variety of fee mechanisms, and for being responsive to public concern of the implementation during the experimental,

demonstration phase. In the long run, we have learned from this process, and we are now better situated to implement a permanent program. The funds retained at many Forest Service recreation sites are essential to providing quality recreation experiences to the public, and this should not be discontinued.

Accountability is essential on the part of the agencies that value these funds. They must be accountable for the use of their receipts and use them to reduce the backlog maintenance and for visitor service enhancements. The receipts should not be used to replace Federal appropriations. They should work in concert with the Federal investment. Recreation fees are not double taxation; rather, they serve as partial payment for use of special recreation sites. Under my bill, fees are not charged for access to back country, only for use where there is developed infrastructure.

I believe, if made an authorized program the Fee Demo Program will continue to yield positive results. Never has it been more apparent than during these difficult budget times that our Federal Lands need these funds to maintain their facilities, provide for the increase in visitors, and homeland security costs. In FY03 the Fee Demo Program raised \$176 million for all four agencies involved, approximately a \$1million increase over FY02. Without these fees Federal lands would not be able to provide our constituents with the amenities they desire and deserve such as, clean restrooms, maintained trails and staff for customer service.

I would also like to take this time to clear up several misconceptions about this legislation:

- This bill would not mandate a specific fee level. Each fee would be determined by the land management agencies, based on a number of factors, including the value of the visitor experience and the level of federal investments. In fact, this bill establishes a fee structure so that fees would be more uniform from site to site. Several kinds of visits would be exempt from fees. For example, there will be no fee for a visitor seeking to see a sunset or a vista, and for back country visitors.
- There is no requirement for anyone to purchase a national pass to visit a local national park or forest. While the bill does give people the option of purchasing one pass to visit all sites, it also provides for an annual site-specific agency pass as well as regional passes. This is done to give the visitor more choices.
- This bill will not privatize land management. On the contrary, this program empowers public land managers, giving them additional resources to do their jobs better.
- This bill will not put people in jail for failure to pay the fee. It brings fee non-payment in line with other recreation offenses, such as littering and driving off road, which are classified as Class B Misdemeanors. Of course, no one is put in jail for these offenses. The bill only seeks to create uniformity within the law. As a practical matter, the fine (usually around \$50) for fee nonpayment will stay the same. These fees go directly to the U.S. Treasury so that the agencies have no incentive to impose fines other than as a last resort. In addition, these fees are not arbitrarily decided, they are based on a scale and a Magistrate rules on every one. To date the maximum fine ever given by any of the land agencies is \$250.
- This bill does not discriminate against those who cannot afford the fees. Federal lands should be accessible to all regardless of income. That is why this legislation proposes numerous fee free days and encourages volunteerism as an alternative to easily earn recreation permits without having to pay the fees.

While I am a supporter of the fee demo, I understand the need to be critical and make improvements to the program. If we expect Americans to spend money to take their families to our lands, the fees must be fair, equitable, consistent and convenient. We as Representatives have the responsibility to maintain our public lands while at the same time ensuring Americans that when they visit the Federal recreation sites they will be receiving a service that is worth their hard earned money.

I have seen first hand the benefits of the fee demo program. When I first became Chairman of the Interior Subcommittee on Appropriations our nation's parks were in decline. This is why following several hearings I decided to implement a fee demo program. Clearly there was a precedent for this action as the National Park Service had been collecting fees for years. Why not try this with other land agencies? I recognize there are flaws in the program and there used to be many more seven years ago, but we have worked collectively to improve the program and should continue to do so.

It is time now for Congress to take action and authorize the fee demo program. The funds generated from the program are critical to the land agency's ability to provide meaningful and efficient recreation experiences to the public. Services could be cut back and the aesthetic beauty and appeal of these lands could be lost. We have made significant strides in reducing the maintenance backlog, improving our public recreation lands and managing fees since the implementation of the demo. We must continue on this path to ensure that decades from now Americans can continue to benefit from the natural beauty our nation's lands have to offer. I fully intend for this bill to be the starting point, not the end product and I look forward to working with members of the House Resources Committee to bring it to fruition.